

**REMARKS**

Claims 2-6, 8-17, 20-24, 26-31, 33-41, 43-57 and 61-64 are pending in the present application.

The Office Action dated October 27, 2010 rejected claims 2-6, 8-17, 20-24, 26-31, 33-41, 43-57 and 61-64 under 35 U.S.C. § 103(a) as being unpatentable over *Brid et al.* (US 6,772,144, hereafter referred to as *Brid*) in view of *Fox et al.* (US 2002/0077823, hereafter referred to as *Fox*).

Applicants respectfully traverse the 35 U.S.C. § 103 rejection of claims 2-6, 8-17, 20-24, 26-31, 33-41, 43-57 and 61-64 over *Brid* in view of *Fox*, because all features of the rejected claims are not disclosed by the applied art, either individually or in combination.

For example, independent claim 50 recites, *inter alia*, the features of “receiving device-independent content comprising markup information identifying one or more device feature values associated with the device-independent content, wherein the device-independent content is responsive to a content request from a device.” Further independent claims 51, 52, 53 and 56 recite similar features with varying scope. Applicants submit, as presented below, that the cited combination of *Brid* in view of *Fox* neither discloses nor suggests any such features.

With regard to claim 50, the statement of the rejection alleges that “Brid teaches a method comprising: ... receiving device-independent content comprising markup information identifying one or more device feature values associated with the device-independent content, wherein the device-independent content is responsive to a content request from a device (Brid, column 2 lines 48-58 and column 3 lines 21-32)(Fox, ¶¶ 62-63, teaches that markup language is old and well known in the art).” (*Office Action*, P. 3, ¶ 7) *Brid* generally discloses a method and apparatus for applying an adaptive layout process to a layout template, whereby the display of a particular

set of data is facilitated on a variety of different devices having different display types. (*Brid*, col. 2, lines 48-50) The system and method of *Brid* allow a content developer (e.g., a web content developer) to create content structure, and adapt that content structure for a variety of different devices and device displays. (*Brid*, col. 2, lines 55-59) According to the teachings of *Brid*, a first template associated with data identified in a data request is retrieved, and a second template is generated using the first template and a device description, which is associated with the device that generated the data request. (*Brid*, col. 2, lines 8-12) The first template may be device independent and the second template is associated with the specific device generating the data request and the first template. (*Brid*, col. 2, lines 13-15)

With regard to the cited paragraphs from *Brid*, relied on by the Examiner as disclosing the aforementioned features of independent claim 1, *Brid* specifically discloses as follows:

The systems and methods described herein allow the display of data on different types of devices having different types of displays. These systems and methods allow a content developer (e.g., a web content developer) to create their content structure once and have that content structure adapted to a variety of different devices and device displays. This content structure may also be adapted to other devices and/or displays developed in the future. For example, a web content developer can develop a layout (or content structure) for an entire family of web pages, thereby avoiding the tedious process of creating a separate layout for each web page. The use of such a layout reduces the processing time required by a server or other computing device, because a particular layout is processed once and the results of that processing are saved and used again for any other web pages in the family. (*Brid*, col. 2, lines 48-63)

A device-independent template 104 contains information related to a family of web pages or a collection of particular types of data. Device-independent templates 104 are typically generated by a web content developer. For example, a device-independent template 104 may be provided for defining how to display stock quote information. The device-independent template 104 is not limited to displaying information about a particular stock, but instead defines how to display information related to any stock. The device-independent template 104 provides a generic data binding representation (i.e., a data binding representation that is not associated with any particular device). (*Brid*, col. 3, lines 21-32)(*emphasis added*)

As is evident from a careful reading of the foregoing, there is no disclosure or indication that the device-independent template 104 includes any information identifying device feature values associated with the device-independent content, as presently claimed. Instead, *Brid* teaches that the device-independent template 104 provides a generic data binding representation that is not associated with any particular device. (*Brid*, col. 3, lines 29-32) In other words, the device-independent template is provided for defining a generic information structure (e.g., a structure for displaying stock quote information – not limited to any particular stock, but instead defining the display of information relating to any stock). (*Brid*, col. 3, lines 24-29) Moreover, *Brid* clearly specifies that the device-dependent information is included in the device description 106, which is separate from the device-independent template 104. (See, e.g., *Brid*, col. 3, lines 34-39) (“A device description 106 includes information about a particular device (or a particular type of device), such as a cellular phone, handheld computer, or PDA. Device description 106 may include information related to the capabilities and features of the device as well as information regarding the type of display contained in the device.”)

Further, with reference to the flow diagram of Fig. 3, *Brid* further specifies the procedure for generating a device-specific template for a specific device, as follows:

FIG. 3 is a flow diagram illustrating a procedure 250 for generating a device-specific template for a particular type of device (i.e., block 210 in FIG. 2). A layout engine retrieves a device-independent template associated with the requested data (block 252). For example, information identifying the particular device-independent template can be included in the request sent from the data source to the adaptive layout coordinator. The adaptive layout coordinator then communicates that information to the layout engine in a request to generate a device-specific template, which will allow the adaptive layout coordinator to properly format the requested data for display on the requesting device. The layout engine also retrieves a device description associated with the identified device type (block 254). The layout engine then generates a device-specific template that is associated with the device-independent template and the identified device type (block 256). The device-specific

template is provided to the adaptive layout coordinator and stored in a device-specific template cache for future access by the adaptive layout coordinator (block 258). (*Brid*, col. 5, lines 7-26)(*emphasis added*)

The foregoing description of the associated process steps thereby further confirms that the device-dependent information is retrieved separate from the device independent template (the device-dependent information is retrieved from the device description 106, separate from the device-independent template 104, as presented above).

Indeed, *Brid* lacks any disclosure or suggestion whatsoever of any features whereby the device-independent content includes markup information identifying one or more device feature values associated with the device-independent content, as presently claimed.

With regard to *Fox*, the statement of the rejection relies on *Fox* for only the disclosure whereby program elements can include corresponding markup code. (*Fox*, ¶¶ 62-63) *Fox*, however, similarly lacks any disclosure or suggestion of device-independent content that includes markup information identifying one or more device feature values associated with the device-independent content, as presently claimed, and thereby fails to cure the foregoing deficiencies of *Brid*.

Accordingly, for at least the foregoing reasons, neither *Brid* or *Fox* alone, nor the combination of *Brid* in view of *Fox*, render independent claims 50, 51, 52, 53 and 56, or claims 2-6, 8-17, 20-24, 26-31, 33-41, 43-50, 54-55 and 57-63 depending therefrom, obvious under 35 U.S.C. § 103(a).

Therefore, the present application, overcomes the objections and rejections of record and is in condition for allowance. Favorable consideration is respectfully requested. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney at (703) 519-9952 so that such issues may be resolved as expeditiously as possible.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 504213 and please credit any excess fees to such deposit account.

Respectfully Submitted,

DITTHAVONG MORI & STEINER, P.C.

January 26, 2011  
Date

/Phouphanomketh Ditthavong/  
Phouphanomketh Ditthavong  
Attorney/Agent for Applicant(s)  
Reg. No. 44658

Craig Plastrik  
Attorney/Agent for Applicant(s)  
Reg. No. 41254

918 Prince Street  
Alexandria, VA 22314  
Tel. (703) 519-9952  
Fax (703) 519-9958